

POSSIBLE CHANGES TO REGULATIONS FOR FISHING IN NONTIDAL WATERS

Fishery Management Areas

The department would like to make it clear that a person may not add structures or modify land or vegetation in or on the waters of any fishery management area.

Fishery management areas are designated in the Code of Maryland Regulations 08.02.01.13. The State of Maryland owns the fishery management areas, including the land under the impoundments, and actively manages the areas for public fishing. The Department of Natural Resources recently performed inspections of all fishery management areas. Some management areas have private structures located on state property. Construction of private docks or other structures in these areas reduces the ability of the public to fully utilize the area and could impact aquatic resources. The department has allowed and will continue to allow the public and surrounding landowners to use, and in certain instances to occupy, the waters of impoundments and the land beneath the impoundments, but only as a matter of privilege. Permanent or long-term property interests are not intended to be granted to the public or to surrounding landowners in connection with recreational use of the management areas. Recognizing that there are several circumstances under which a structure could have been built (unawareness of property laws, verbal approval, or it existed when the property was purchased); the department intends to create a permit that will allow an individual to keep a structure that was erected prior to January 1, 2019. Conditions of the permit will prohibit improvement of the structure, require removal if the structure is in poor condition, and require removal of the structure prior to selling or transferring the property.

This addition to regulation will make it clear that a person may not construct, place, or maintain a dock, mooring buoy, or other facility or structure, or modify land or vegetation in or on the waters of any fishery management area. The department's goal is to provide protection of each area as a natural resource, preserve its ecological balance, and further its highest use as a recreational resource. In doing so, the department will maximize its ability to provide the public with a quality experience that is safe for all users.

Trout Limits

The department would like to increase the possession limit to twice the daily creel limit for trout species in delayed harvest fishing areas, trophy trout fishing areas, and zero creel limit areas for brook trout.

Currently, those areas have a possession limit that is equal to the daily creel limit. The zero creel area will only increase the possession limit for brown and rainbow trout, the brook trout limit will remain zero. Changing the possession limit to twice the daily creel limit would make the possession limit consistent with other species' possession limits and it will allow someone who may be on a multi-day fishing trip the ability to keep more than one daily limit without having to consume the fish they catch each day. Even though the possession is increased, the daily creel limit will remain the same. Daily creel is the number of fish that an angler can keep after a single day of fishing and possession limit is the maximum number of fish that an angler may have in their possession after two or more days of fishing.

Put-and-Take Trout Fishing Area

The department would like to clarify the description for the Fishing Creek put-and-take trout fishing area. Anglers have noted that the map does not match the description in regulation. The department would like to clarify that the fishing area is Fishing Creek mainstem upstream of Fishing Creek Reservoir including Steep Creek.

Striped Bass

The department would like to change the rules for keeping striped bass from nontidal impoundments. Currently, an individual may only keep a striped bass from certain impoundments. If an angler catches a striped bass in an area not listed, they cannot keep the fish and must return it to the water. The department plans to amend the regulation to allow an angler to keep a striped bass from any impoundment. The rules for season, size, and creel limits will remain the same. The season is open year round and a striped bass caught in an impoundment must be at least 18 inches in length. An angler may keep two fish per person per day, but only one of those may be over 30 inches in length. Striped bass caught in nontidal portions of rivers will still need to be returned to the water immediately.